

## REMARKS

In accordance with the foregoing, claims 4-11, 13, 16-17, 24, 26, and 30-31 are amended. No new matter is presented in any of the foregoing and, accordingly, approval and entry of the amended claims are respectfully requested.

Claims 4-31 are pending and under consideration.

### ITEMS 5-6: ALLOWABLE SUBJECT MATTER

Claims 18-21 are indicated as allowed. (Action at page 8). Applicant appreciates the indication of allowable subject matter.

### ITEMS 2-3: REJECTION OF CLAIMS 4-17 AND 22-31 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER BILICIH ET AL. (US 5,877,483) IN VIEW OF COMBINATIONS OF HUANG ET AL. (US 2003/0126483) AND HERRERO (US 2005/009520)

Claims 4-17 and 22-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bilicich in view of combinations of Huang and Herrero. The rejections are traversed.

As set forth in MPEP §2143.03 "(t)o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art."

Independent claim 4, as amended, recites a display monitor including "an interface communicating with a smart card containing personal identification information; a detector detecting a signal through the interface determining insertion of the smart card into the display monitor; and a controller reading the personal identification information via the interface from the smart card, and controlling turning a display of the display monitor on or off, when the insertion of the smart card is detected."

Independent claims 11 and 26, both as amended, respectively recite a method and a computer-readable medium including "checking an insertion of a smart card into the display monitor; turning a display of the display monitor off when the smart card is not inserted into the display monitor, after a predetermined time; reading personal identification information from the smart card when the smart card is inserted into the display monitor; turning the display of the display monitor on if the personal identification information correlates to an authenticated user; and turning the display of the display monitor off if the personal identification information does not correlate to the authenticated user."

Independent claims 16 and 30 respectively recite a method and a computer-readable medium including "registering information stored in a smart card to a storage unit of the display

monitor; . . . and turning the display of the display monitor on when the insertion of the smart card is detected and information stored in the smart card is the same as information stored in the storage unit."

Independent claim 22 recites a method including "detecting insertion of a smart card in a circuit; supplying power to the detected smart card through the circuit; reading information from the smart card; comparing the read information . . . and deleting the information in the storage unit if the information is substantially the same as the read information." Independent claim 23 recites a method including "detecting an insertion of a smart card in a circuit; supplying power to the detected smart card . . . registering the stored information, wherein the registering is automatically performed by a circuit or manually performed by a user."

Independent claim 24, as amended, recites a security apparatus including "reading information from the smart card, through the plurality of connection terminals; and a display monitor microcomputer receiving an insertion signal from the detector circuit; and a storage device storing the read information."

Applicants submit that features recited by each of the independent claim are not discussed by the art relied on by the Examiner, alone or in combination. For example, Applicants submit that none of the art relied on by the Examiner discuss a smart card as recited by each of the independent claims.

Further, dependent claims recite features not discussed by the art relied on by the Examiner. For example, dependent claim 7 recites display monitor including "a controller registers personal identification information stored in the smart card or deletes the registered personal identification information. Dependent claim 12 recites comprising supplying power to the smart card prior to reading information therefrom, when the presence of the smart card is detected.

The Action concedes that the art relied on by the Examiner does not discuss many of the feature recited by each of the independent claims. However, the Examiner contends that it is obvious to modify Bilicich and Huang to include such features.

#### **Examiner's Contentions Without Support**

The Examiner states:

1) "replacing the magnetic stripe card, with a smart card, is an obvious expedient, and well within the skill in the art." (Action at page 2).

2) "(a)s a power control means for powering a computer system (including a display) has

been taught above, it (is) interpreted as functionally equivalent." (Action at page 2)

3) "as smart cards are known to comply with ISO standards, it is obvious that the controller/card interface provide clock and reset signals." (Action at page 3).

4) "it would have been obvious to read users cards into the system by a card reader, . . . as a well-known and conventional means of assuring correctness of the data input, while also increasing the speed at which such registering is done." (Action at pages 3-4).

5) "it would have been obvious to one of ordinary skill in the art to delete data, based on the desired users who are given access . . . . deletion would also be an obvious expedient, to control those who have access to the system." (Action at page 4).

6) "passive smart cards are well known."

7) "reading the card information off the card during registering, that such means are well known and conventional (as opposed to manual entry) to provide more efficiency and reliability." (Action at page 5).

Applicant respectfully traverses the Examiner's statements and demands the Examiner produce authority for these statements, and specifically points out the following errors in the Examiner's action.

First, the Examiner uses common knowledge as the principal evidence for the rejection. As set forth in M.P.E.P. § 2144.03(E):

any facts so noticed should . . . serve only to 'fill in the gaps' in an insubstantial manner which might exist in the evidentiary showing made by the Examiner to support a particular ground of rejection. It is never appropriate to rely solely on common knowledge in the art without evidentiary support in the record as the principal evidence upon which a rejection was based.

Second, the limitations are not of notorious character or capable of instant and unquestionable demonstration as being well-known. Instead, these features are unique to the present invention. See M.P.E.P. § 2144.03(A) ("the notice of facts beyond the record which may be taken by the Examiner must be "capable of such instant and unquestionable demonstration as to defy dispute").

Third, there is no evidence supporting the Examiner's assertions. See M.P.E.P. § 2144.03(B) ("there must be some form of evidence in the record to support an assertion of common knowledge").

Fourth, it appears that the Examiner also bases the rejection, at least in part, on personal knowledge. The Examiner is required under 37 C.F.R. § 1.104(d)(2) to support such an

assertion with an affidavit when called for by the Applicant. Thus, Applicant calls upon the Examiner to support such assertion with an affidavit.

### **No Motivation To Combine The Art**

In rejecting claim 22, the Action concedes that Bilicich and Huang do not discuss deleting the information in the storage unit if the information is substantially the same as the read information. However, the Examiner contends it would have been obvious to modify Bilicich and Huang with Herrero to control reregistering of user information stored in the smart card and storage unit.

Applicant submits there is no motivation to modify the art as the Examiner contends. As set forth in MPEP §2144. 04:

(t)he mere fact that a worker in the art could rearrange the parts of the reference device . . . is not by itself sufficient to support a finding of obviousness. The prior art must provide a motivation . . . without the benefit of appellant's specification, to make the necessary changes in the reference device.

### **Summary**

Since *prima facie* obviousness is not established and the Examiner's contentions are without support, the rejection would be withdrawn and claims 4-17 and 22-31 allowed.

### **CONCLUSION**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

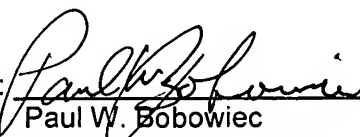
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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